

ENTERED

July 13, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

LYZA CARDENAS,

Plaintiff,

VS.

ANDREW M. SAUL,

Defendant.

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CIVIL ACTION NO. 7:21-CV-135

ORDER ADOPTING REPORT AND RECOMMENDATION

Pending before the Court is Plaintiff's action pursuant to 42 U.S.C. § 405(g), which action has been referred to the Magistrate Judge for report and recommendation. On June 3, 2022, the Magistrate Judge issued the Report and Recommendation (Dkt. Entry No. 25), recommending that Plaintiff's Motion for Summary Judgment be granted in part and denied in part, that the Commissioner's Motion for Summary Judgment be granted in part and denied in part, and that the Commissioner's final decision to deny benefits be vacated and remanded to the agency for further proceedings consistent with the Report and Recommendation. Neither party timely filed objections to the Report and Recommendation.

Pursuant to Rule 72(b) of the Federal Rules of Civil Procedure, the Court has conducted a de novo review of the Report and Recommendation. Finding no clearly erroneous error, the Court adopts the Report and Recommendation (Dkt. Entry No. 25) in its entirety. Accordingly, it is hereby **ORDERED** that Plaintiff's Motion for Summary Judgment (Dkt. Entry No. 13) is **GRANTED in part and DENIED in part**, that the Commissioner's Motion for Summary Judgment (Dkt. Entry No. 17) is **GRANTED in part and DENIED in part**, and that the Commissioner's final decision to deny benefits is **VACATED** and **REMANDED** to the agency for further proceedings consistent with the Report and Recommendation.

SO ORDERED July 12, 2022, at McAllen, Texas.

A handwritten signature in black ink, reading "Randy Crane". The signature is written in a cursive, flowing style. The first name "Randy" is written with a large, prominent "R" and a long, sweeping underline that extends across the signature. The last name "Crane" is written in a similar cursive style, with a long, sweeping underline that extends to the right.

Randy Crane
United States District Judge